

**REMARKS**

This is in response to the final office action mailed April 7, 2006 and the Advisory Action mailed August 24, 2006. In the final office action, claims 21-28 and 37-43 stand rejected under 35 USC §103(a) as being unpatentable over Sabrowsky et al. US Patent 4 127 949 in view of Brandon et al. US Patent 6 591 593. This rejection is respectfully traversed. Claims 29-36 and 44 were previously withdrawn from consideration as being drawn to a non-elected invention. By the foregoing, claim 21, claims 29-36 and claim 44 have been cancelled.

Rejections Under 35 USC §103

Claims 21-28 and 37-43 stand rejected under 35 USC §103(a) as being unpatentable over Sabrowsky et al. '949 in view of Brandon et al. '593. This rejection is respectfully traversed.

In order to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)

First, there is no motivation or suggestion to combine the references. Sabrowsky et al. '949 discloses a snowmobile trail groomer having a hydraulically operated track drive assembly and a snow mobile trail grooming accessories. Brandon et al. '593 discloses an electric riding lawn mower having an internal combustion engine powering a generator

system. The Sabrowsky et al. '949 system appears to be completely manually controlled, whereas the Brandon et al. '593 system, being electrically powered includes automated controls that would not have been obvious to apply to the systems disclosed in the Sabrowsky et al. '949 reference. Therefore, the combination of these two references is inappropriate.

Even if the combination were made, however untenable, the combination fails to reach the claimed invention. Sabrowsky et al. '949 discloses a snowmobile trail groomer having an elongated dual track endless track drive assembly, a front ski equipped support assembly and an elongated longitudinally extending subframe. The rear end portion of the subframe includes transversely spaced depending tines, and an upstanding transverse blade member rearward of the tines including a generally horizontal lower edge portion. A lift structure is operatively connected between the subframe and the mainframe for raising and lowering the tines and blade member relative to snow cover over which the groomer is being driven. Sabrowsky et al. '949 does not disclose a means for distributing power to the track drive assembly and to the snow trail grooming devices in the form of the tines and blade member. Sabrowsky et al. '949 further does not disclose a method of selectively prioritizing one of the chain or track drive and the snow trail grooming devices, as required by claim 22, as amended. Sabrowsky et al. '949 further does not disclose a snow trail grooming vehicle comprising a means for distributing driving power onto the chain or track drive and further consumers of driving power, and a central processing system for controlling said means for distributing driving power as required by independent claim 37.

Brandon et al. '593 discloses an electric riding lawn mower powered by an internal combustion engine and generator system. The electric riding lawn mower integrates the

generator system driven by an internal combustion engine with electric motors driving each of the wheels of the mower, and a mowing deck that has electric motors driving the cutting blades, and a motor for raising/tilting the mowing deck. A computer in a master controller communicates with each of the controllers for the motors and for the generator and processes data necessary to coordinate the drives.

Brandon et al. '593 does not disclose a method for controlling the vehicle comprising the step of selectively prioritizing one of the chain or track drives, the snow trail grooming device and the cable winch, as required by claim 22. For instance, there is no indication that the central processing system of the Brandon et al. '593 system will changeably prioritize the distribution of power between the drive system and the mower deck. Brandon et al. '593 appears to suggest that the mower blade will be operated at full ANSI specification speeds due to the controllability of the electric motors, and that the wheel speed of the mower will be determined by the control inputs provided by the operator. There is, however, no indication in the Brandon et al. '593 reference that the controller will selectively prioritize between the wheel drives and any of the other consumers of power such as the mower blades or the mower deck. For instance, if the Brandon et al. '593 lawn mower is directed to ascend an incline, the available electrical power will be distributed to the wheel drives in order to achieve the wheel speed set by the operator through the joy stick or other controller. If there is insufficient electrical power available, the desireable maximum mower blade speed will not be satisfied. Likewise, if the mower blade speed is the dominant consumer of power, the mower will not be able to attain the wheel speed set by the operator. There is no indication in the Brandon et al. '593 reference that the lawn mower is configured for selectively prioritizing which of the

consumers of power, be it the wheel drives or the mower blades, has priority over the other consumers of power. There is no indication, for instance, that the control signal from the joy stick may be overridden and that a different setting of the wheel drives, then commanded by the joy stick, will be used when there is insufficient power available to achieve the wheel speed desired by the operator, giving preference to the mower blade speed. Likewise, there is no indication that the mower blade speed would be reduced in favor of the wheel speed, were the wheel speed the preferred consumer.

Further, there is no evidence that the Brandon et al. '593 lawn mower is configured for detecting environmental parameters and indicating a change of prioritizing independency of the environmental parameters, as required by independent claim 25. Further, Brandon et al. '593 does not disclose the indication of the change of prioritizing to the operator, nor the automatic carrying out of the change in prioritizing by the central processing system, as required by claim 26.


In light of the foregoing, withdrawal of the rejection of claims 22, 25 and 37, and reconsideration of the claims, is respectfully requested. Claims 23-24, 26-28 and 38-43 depend from claims 22, 25 and 37, are believed allowable therewith, and further define the invention. Withdrawal of the rejection, and reconsideration of the claims, is respectfully requested.

#### Conclusion

In light of the foregoing, the claims are considered in condition for allowance, and early notice of allowability is courteously solicited. If necessary to further prosecution of

the application, the Examiner is invited to contact the applicant's representatives listed below.

Respectfully submitted,

  
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